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Fax INTELLECTUAL PROPERTY LAW

To: U.S. Patent & Trademark Office From: Ronald E. Smith
Attn: Michael A. Brown Client: 1320.02
Fax: (703) 872-9302 Pages: 20 including coversheet
Phone: (703) 308-2682 Date: November 29, 2004
Re: USSN 09/682,353 CC: Bailey Walsh & Co.

 Urgent For Review Please Comment Please Reply Please Recycle

Dear Examiner Brown:

In response to the non-final office action mailed on August 6, 2004, we enclose the following:

- 1) Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated November 28, 2004 (2 pages);
- 2) Petition and Fee for Extension of Time with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated November 29, 2004 (2 pages);
- 3) Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated November 28, 2004 (14 pages) and
- 4) Credit Card Payment Form PTO-2038 in the amount of \$152.00 (1 page).

Very respectfully,

Ronald E. Smith
Reg. No. 28,761

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.

NOV 29 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 09/682,353	Confirmation No.: 8397
Applicant:	: Richard M. Hall	
Filed:	: 08/24/2001	
Art Unit	: 3764	
Examiner	: Michael A. Brown	
Docket No.	: 1320.02	
Customer No.	: 21901	
For	: Obesity Treatment Aid	

Faxed to Technology Center 3700 at (703) 872-9302
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

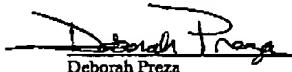
3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that an extension of term is required. A Petition and Fee for Extension of Time is attached hereto.

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Specification, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3764, Attn: Mr. Michael A. Brown, (703) 872-9302, on November 29, 2004.

Dated: November 29, 2004



Deborah Preza

(Amendment Transmittal—page 1)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3) SMALL ENTITY		
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total 35	Minus 34	= 1	x \$9 =	\$9
Indep. 5	Minus 3	= 2	x \$44 =	\$88
First Presentation of Multiple Dependent Claim				+ \$150 = \$0
				Total Addit. Fee \$97

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,
- ** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
- *** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

An additional fee for claims is required.
Credit Card Payment Form PTO-2038 is attached hereto.

Very respectfully,



SIGNATURE OF PRACTITIONER

Reg. No. 28,761
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(Amendment Transmittal—page 2)